S.Seligman & Seligman E-9 (1909-1910) 1932
F323 Shellah F323

related by marriage, it is the bridegroom who pays special deference to his wife's relatives and not vice versa. A man may claim privileges from his sister's husband, and though he must make his demands politely they will not be denied. On the other hand, a man may show much zeal in doing services for his wife's relatives that are not absolutely necessary. It must be remembered that the "in-law" relationship begins early, as soon as betrothal negotiations are started; the prospective bridegroom is particularly anxious to please his future bride's relatives so that they in turn may influence her not to break off the engagement; indeed, the fear of losing the woman persists even after marriage. Should any of the cattle of the bride-wealth die the bride's relatives can claim that they should be replaced, and Hobhouse states that when cattle plague is prevalent marriages are frequently dissolved as the husband cannot make good the losses.[1] There are thus abundant reasons why the bridegroom should seek to keep on good terms with his wife's relatives and by his correct behaviour prevent the possibility of rupture. Mr. Henery states that it is very rare for a husband to divorce his wife, it is usually the wife or her family who initiates the separation.

There are no special houses built for adolescent boys or girls. The former sleep in the cattle byres (*kraal*). Where there are several unmarried girls in a village any house may be given to them that happens to become vacant, and the girls will sleep there together; such a house will be called *ishumane*. Their boy friends will come by night and call to them to join them. We do not know whether custom imposes any restrictions on their behaviour, nor whether only eligible boys are received, that is to say, those who are neither related by blood nor of the same clan, but we believe that this is the case, and it seems that such courtship usually leads to marriage.

Hobhouse states that the girls assume a tone of considerable humour; the marriage must take place outside the village and the parents must not be told, though they would not meddle in the affairs of the young people. He also states that the girl chooses whom she likes and that she usually breaks several engagements before finally accepting a suitor, this being considered no disgrace except when carried to excess. A girl who has had more than ten lovers is looked upon as *ngu shy cuss*, a fast woman. Betrothals may be arranged young, but it is doubtful whether marriage would be enforced if the girl preferred another youth when she had reached a marriageable age.

[1] Op. cit., 113.

2:Seligmann & Seligmann E-6 (1909-1910) 1932
F223 Shilluk F223

SU The girl's choice of a husband is undoubtedly influenced by the amount of bride-wealth that the young man is able to provide, and her relatives—father, brothers, and the ao—will try to dissuade her from a poor marriage. Public opinion would, however, be against forcing a girl to take a repugnant partner for the sake of the cattle. [SQ] The provision of the bride-wealth prevents very early marriage, and men do not appear to marry under about twenty years of age.

After the bride-wealth has been arranged the young people go to
• SW the house of the girl's father. The latter brings a goat into the enclosure and the father of the prospective bridegroom cuts an ear from the animal and binds it to the girl's ankle, when all pray to Nyakang and possibly also to Juok. For some time before the marriage the prospective bridegroom begins to provide fish for his future parents-in-law; he will bring fish every day, and only if the catch is large will he keep any for himself. If he gets on well with his parents-in-law he may continue to do this for a long time after marriage, though he is not bound to do so.

SX The wedding feast takes place at the house of the bride's father, after the whole bride-wealth has been handed over. Much beer is prepared and if the father can afford it a bull is killed. Dancing and feasting may last three days. The couple then go to live in the [SY] husband's village, where he has already built a house with the aid of [SZ] his friends—presumably his age mates. No marriage was celebrated [TA] during our stay in the Shilluk country, but from our informants we gathered that the time of the actual consummation of marriage was TB not a matter of great importance, and that this has usually taken place CK before the marriage feast, which merely marks the fact that the girl leaves her father's house. We concluded that the usual practice was for intercourse to begin, if the girl was old enough, after a fair proportion of the bride-wealth had been given—one informant said seven cows, another six. The man would come to his betrothed's village and send a friend to fetch her away from her father's house, where they would spend the night in some other house in the village. The transfer of the bride-wealth might take two years or more, the first instalment consisting of two cows.

SX Hofmayr describes a ceremony when the concluding ox of the bride-wealth is handed over. The ox is decorated, and the bridegroom and the young people of both sexes from his village accompany it to the bride's village. Here a mock battle takes place and the bride's friends eventually seize the ox. The bridegroom and his companions

J. Gulliver & Selig

an E-6 (1909-1918) 1932
F223 Shilluk F223

The full cow consists of a number of sheep, from seven upwards, and these are taken by the [illegible] 583
on full brother they are [illegible]'s brother (uncle). If the bride has brother's cows, and also the [illegible] asked amongst her own, her father's [illegible] her cows who are her classmen.

The [illegible] cow consists of [illegible] bows, two fish spears, four spears (reg [illegible] large and very small), a [illegible] shoulder of tobacco and a bundle of firewood. The [illegible] cow is [illegible] kept by the parents and is not shared with other relatives.

In times of cows, as distinct [illegible] the middle or when cattle have been scarce for any other reason, [illegible] bride or part of the bride-wealth may be delivered. The debt is not [illegible] however, cancelled; the husband may frequently wait until he needs a bride-wealth for a daughter of the marriage, when he will give [illegible] original number of cattle agreed for him with or for father or his [illegible] one of his.

If a married woman dies [illegible] without having a child, the husband demands back the cattle of [illegible] bride-wealth from the father. If his wife leaves him he will demand both the sheep and the bows and spears; the tobacco and fish [illegible] are gone, so he will not ask for them, but if he were very angry [illegible] might even do that, though such behaviour would generally be [illegible] disapproved. Yangich, a chief of Tonga, seemed to count that if a wife [illegible] leaves her husband all the bride-wealth should be returned, [illegible] except one bullock, but if the wife is pregnant when she leaves the [illegible] informed one cow and one bull are kept by her people.

It seems then, as the wife [illegible], divorce is amicably arranged, as a rule usually only seeks divorce [illegible] if his wife has left him for another man, to which case the latter would [illegible] have to hand over bride-wealth to her father, who would return the [illegible] original bride-wealth to the first husband. If, however, there were another [illegible] daughter of suitable age the husband might take her. If a man who [illegible] did try to return his wife because she was barren a more difficult [illegible] given would arise.[1] Such a case would probably be taken before the [illegible] and judgment might be given that all except two cows should be [illegible] returned. Probably before the case came up the husband would have tried to steal the cows from his father-in-law.

A case was recorded of a girl who [illegible] who was betrothed as a child to a man [illegible] one. One cow of the bride-wealth

[illegible] for a woman to borrow the husband would [illegible] her [illegible] would also be called to an [illegible]

[1] Perhaps some day before [illegible] calculate with [illegible] cow, and the [illegible] (op. cit., 108).

J.Seligman & Seligman E-6 (1909-1910) 1932
F323 Shilluk F323

501 had been handed over. When she grew up her father wished to arrange another marriage for her, but was obliged to repay the cow.

504 Mr. Hoarey saw the following information concerning the disposal of children after divorce. If the bride-wealth is not returned the children will remain with their father, but if it is returned—and this really constitutes divorce—the husband has to give up the children. The new husband who provides the bride-wealth will take the children and they will become members of his clan. When such kids grow up the true father will often notice them back; this is becoming a common practice, but was formerly confined to members of the kraal.

[503]

508 The position of children born out of wedlock shows the same principle as is seen in the treatment of children after divorce, viz. the importance of the bride-wealth in establishing sociological fatherhood, physiological fatherhood having no legal importance. If a girl has one child before marriage the child belongs to the husband who provides the bride-wealth, which would be the same as if she had no child. But if she has two children then her father would keep them, they would be members of his clan and he would accept less bride-wealth. This, however, seldom happens, as girls are usually betrothed as soon as they reach puberty.

689 The fine for adultery was said to be seven head of cattle—four cows and three bulls—but the number varied, and it may be supposed that the adultery fine would be less than the bride-wealth; three cows and one bull seem a usual fine. Mr. Hoarey states that if a girl who is betrothed becomes pregnant by another man the lover will pay seven head of cattle to the father, but the child will belong to her future husband, who has provided the bride-wealth. Unredeemed adultery was said to cause the death of the child.

A fine is paid for adultery, but it seems that many cases that come up for judgment are really those in which a girl betrothed to another man willingly goes to a lover. It must then be decided whether the lover pays a fine or provides bride-wealth and marries the girl.

515 There is no objection to a man marrying two or more sisters, but, unless the second sister is taken in place of the first because the latter has proved barren, full bride-wealth must pass for each.

TKL 512 Hofmayr states that if a man of importance dies between the time of betrothal and marriage a ceremony having as its object the provision

III. FAMILY LIFE.

When a young man wants to marry, he himself asks the girl he has selected, if she accepts, she throws her love to her parents and the old people of the village; if those also do not object, they ask him to bring the dowry, which consists of cattle. From four to six head of cows and one which now is the ordinary price for a woman, besides a number of sheep and goats. But the whole of his dowry is to most cases not paid to the father-in-law at once, before the marriage takes place. One ox is paid to the elders of the village when they arrange the marriage business, one or more at the celebration of the marriage, another when the first child is born. The ox which is slaughtered at the marriage festival is driven to the village of the bride by all the young men of the bridegroom's village. They decorate this ox by tying tassels of cows' tails on the top of the horns. In case the horns have not a good shape for tying these tassels, they are plaited and the tassels are fastened to the latter. A young man in buying an ox is always particular about the shape of the horns for this reason. On the marriage festival with pageantry. — A man cannot reach a social position without being married, and he cannot get a wife without cattle, as every young Suk's highest ambition consists in possessing cattle in order to buy a wife. But, as already mentioned, they usually marry before the full dowry is paid, and in such a case the father of the young husband may become the owner of quarrels between husband and wife, and still more between husband and father-in-law. As long as the price is not paid, the father has a legal right to take his daughter back from her husband, but this, though often threatened, is seldom done. Those who have sufficient means will as a rule not be satisfied with one wife, but marry a second and a third; only a very few succeed this number.

A young man may not marry a girl from his own division or clan, (vide page 127) but from any other division, the girl may live in the same village or in any other village, but they prefer to marry in a distant village. These marriage laws are a well established tribal custom, and people fear to break them, but death follows marriage.

The position of the women is no doubt a higher one than with most Mohammedan peoples of the Sudan. She is generally well treated and is shown much consideration. The women sometimes take part in public assemblies with the men, discuss the affairs that interest them and partake in funeral and religious ceremonies. Even in their war-dances the women play an active role, vide page XXXIX. — Ethnologically or lazy, the man may give his wife a thrashing with a rope

II. SOCIAL INSTITUTIONS AND SCENES FROM DAILY LIFE.

13. Marriage.

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

A man talks with a girl, and in the course of their conversation he says: "I have come to you." She asks: "What for?" He replies: "I want to talk with you." She asks: "What do you want?" He replies: "I want to marry you."

the ways: "But why do you not go into the village, to the old people?" Then he goes into the village, and talks with the old people. They say: "We have nothing to say against it." Now he returns home, and brings a sheep, as a present for the old people. The old people say: "We accept your proposal, go, and bring the cattle!" The man goes, and procures the cattle, he returns with it to the old people, and they say: "Go, and bring the one of the sheep!" And the one of the sheep is brought, the goat for the people in the village of God.[1] Now beer is strained, and the people are called. The ox of sheep is brought by all the people, the people go, and fetch the ox, and a spear, which is in present, for the man who held fast the rope of the ox. The people go into the village. And the people dance. The bridegroom is put into a hut together with the manager of the marriage, the bride stays with her family together with the woman-manager of the marriage. While the people are still dancing, the bridegroom is led out by his friends, the bride also is brought out by her friends. All the people continue dancing, and a cow is killed, which is eaten by the people; and they drink plenty of beer; and they are bread, bread which is mixed with butter. There are many people present.

At last the people scatter, and go home. The bridegroom is now instructed with regard to his wife (that is, he is told how much cattle she, he has still to give). They say to him: "Bring goods, bring plentiful cattle, and skin-clothes, and blankets for lying."

And (the next day) food (beer, and different kinds prepared of flour) is brought; it is carried into the village of the bridegroom. The man who carry it, sit down outside in the bush before going into the village. The people of the bridegroom now bring a goat into the bush, (to the carriers, as a present), after that the carriers come into the village, but they refuse to go into the yard of the bridegroom. Now beer are brought forth, and are thrown on the ground (as a present for the carriers), and they go into the yard; they stand still in the yard with their food on their head, and again refuse to put their loads on the ground. So once more beer are brought, and thrown down before them. Now they put their loads down.

The bride also, when she is brought by her friends into the house of the bridegroom, remains outside the yard. And a goat is led out (to those waiting outside), and then she enters the yard. They (she and her friends) sit down in the yard. The ear of the goat is cut off, and after that they enter the hut. — But the girl refuses to lie down; and metal ornaments are brought, which are to cause her to lie down, and then she lies down. The next morning a goat is brought, the goat is killed. The women dig for sand which is used in building, and the enclosure is honoured with sand (is repaired). When they have

[1] for the deceased ancestors.

having a common number of local branches, or lineages, spread throughout Shilluk-land, and there are no permanent residents.

Members of a lineage are bound one unto by kinship ties but also by clan ordering through membership of the same subclans. The lineage is an effective political and social unit. A person generally thinks in terms of his localized lineage and refers most often to the founder of his lineage in the distant ancestor.

In relation to members of lineages of other clans, however, reference to such kinship is to be made to the founding ancestor of a person's clan. As permanently exogamous, the occupants of a given lineage belong to a collection of subgroupings (lineages which great ceremonies were the genealogical ancestors of the successive lineage through marriage with the female members.

[illegible]

Only the eldest lineage heir is of any importance in the succession of property. Shilluk agnatic rules there are no defensive rules for the establishment of children.[1] If discrimination has not been made between their sons are usually taken by the eldest son, or by the next of kin above there are no sons. Cattle are taken by the succeeding girl leader, either a married son or a married brother. In regard to cattle as to likes with them for the reference customary settlement obligations. He has the moral obligation to use his herds for providing bridewealth to enable the male members of the girl to marry, in order of seniority, and it is considered wrong for a girl leader to marry a second time himself while there are men of his girl child unmarried and requiring cattle. The girl leader is also responsible for paying compensation to cattle for any wrong which has been committed by one of his households. Finally, it is recognized that no cattle of the family herds should be sold except in cases of famine and to purchase grain. Pumphrey states that a breach of these rules of clan ownership would "be unreservedly censured but would probably not be interfered with by the courts."[2]

[illegible] land belongs to anyone who settles on it.

[illegible]

The Shilluk are polygynous. A wealthy and influential man has three or four wives, while members of the hoi-polloi may have several more. Marriage is forbidden with any member of one's father's clan and between all persons in respect of whom relationship, either through the father or mother, could be traced directly. Apart from these obligations it appears that freedom of choice is generally allowed to both sexes on matrimonial matters.

Bridewealth

Bridewealth consists of ten head of cattle and sheep and spears. In addition the suitor makes small gifts and performs services to win the favour of his future father- and mother-in-law. Bridewealth discussions and arrangements proceed between representatives appointed by the suitor's and [illegible] by the girl's [illegible].

[1] Pumphrey, J.M.S. (ms), Vol.XXIV, p.24.
[2] Ibid., p.25.

46

(21) and to the girl's gal. Payment of cattle may extend over many years and, until these payments are completed, the girl lives with her parents and her husband has to work for them.

The bridewealth cattle go to the girl's gal leader, who is either her father, brother or paternal uncle. Pumpkey states that the acquired cattle only receives cattle if there are any arrears outstanding from the marriage of his sister, the girl's mother. Seligman quotes an instance in which 27 cattle were paid by a Shaka and of them 10 were directly to the girl's mother's family.

Marriage Ceremonies

(22) If a girl receives a proposal of marriage from a suitor and accepts him, the first step is to obtain the consent of the girl's gal. The acceptance of a sheep - the girl shak - by the girl's parents signifies that they consent to the engagement. According to Pumpkey, the marriage is regarded as valid and binding as soon as this has taken place, and children born to the couple are legitimate even if the cattle payments have not been completed. (1)

A ceremony and wedding dance at the bride's village follow and serve to publicise the marriage and express public approval and recognition. After the dance a long period may elapse during which the bridewealth is gradually paid off while the wife lives with her parents. The final ceremony, the mgbe ritual, marks the separation of the wife from her parents' home and only takes place when all the bridewealth has been paid, or at least the major part of it. Sometimes a mock battle takes place in which the bride is symbolically seized by the groom's party.

There is no set order for the various stages in completing a marriage, for there are often complications, such as desertion or the inability of the man to pay the cattle and so forth. In cases of desertion the deserting father has to be paid first and then the full bridewealth.

Divorce

(23) If a wife refuses to live with her husband her parents have to return the bridewealth. Deductions are made for the children born of the union at the rate of one head of cattle for every son and five for each daughter. Similarly, if a woman marries another man, before the first suitor has paid all the bridewealth, the cattle which have been paid are given back, subject to the deductions for any children born, because, once the dowry has been accepted, any children of the union belong legally to their father.

(24) If the wife dies her gal must either substitute an unmarried sister or give back the bridewealth, making deductions for children.

Sexual Offences

(25) Fines for adultery are paid to the woman's husband. The amount varies,

(1) Pumpkey, J.R.A.I. Vol.XXIV, 1941, p.36.

Howell E-4-F (1937, 1948) 1953 F221 Shilluk F221

tant among the Nuer and Dinka, does not usually arise. The Shilluk seem to attach greater significance to physical paternity than do other Nilotes and the *nyidi* male will usually be linked to the name of his genitor, even though this carries with it no legal rights. In the case of males there is often a tendency on the part of the maternal family or his heirs to deny to the *nyidi* rights of inheritance or full participation in the reciprocal privileges of the lineage, so that his status is sometimes precarious and indeterminate.

Unlike the Nuer and Dinka, the Shilluk have no 'Ghost Marriage'.[1] It is not regarded as a fundamental obligation of kinship that a wife should be 'married to the name' of a dead kinsman, though the sentiment which dictates the custom among the Nuer and Dinka is not absent among the Shilluk. In this sense the Nuer and Dinka system is perhaps more individual than that of the Shilluk. Among the Shilluk continuity of the kinship group, not of the individual, is assured by normal legal marriage with cattle which might well have been used by the deceased for this purpose, but are not transferred in his name. Names are retained, however, by a belief in reincarnation. It is believed that the spirit of some ancestor appears in the new-born child which is then named after the ancestor. At the birth of every child a ceremony is performed, usually with the assistance of a *lug* *wal* who specializes in such matters, to determine this. The participants will ask, '*ana adwi gi ano?*'—'This one is brought by whom?' This accounts for the repetition of names in Shilluk genealogies, irrespective of sex, since there is no reason why the spirit of a female ancestor should not enter a male child or vice versa.

As will be seen later, a man who seduces a girl, if she subsequently gives birth to a child, cannot assume legal parenthood of his offspring except by marrying the mother and then only if at least some of the bridewealth cattle have been transferred, and the initial ceremonies of marriage performed before the child is born. Theoretically, at least, children born out of wedlock cannot be legitimized and must therefore remain *nyidi*. This does not apply if the father is betrothed to the girl at the time, provided that he eventually completes the marriage payments. It often happens, however, that a child born in these circumstances is adopted by the man who subsequently marries the mother, and marriage in these conditions usually brings with it legal parenthood of children born out of wedlock.

Violation of Rights in Women

Seduction of Unmarried or Betrothed Girls and Adultery

The seduction of unmarried girls is considered a serious wrong among the Shilluk and one which demands compensation. The wrong is referred to as *kwer kwal nyi* *nyar* and compensation is assessed, both currently and traditionally, at one ox. Pumphrey remarks that,

. . . an original seduction often terminates in marriage, in which case the seduction payment is payable first and the marriage payment after (and over and above it). In such cases the marriage dates from the acceptance of the sheep and it is improbable that the girl's family will accept it until the seduction payment is completed.[2]

[1] See Evans-Pritchard, 'Some Aspects of Marriage and the Family among the Nuer', *Zeitschrift für Vergleichende Rechtswissenschaft*, 1938 and Rhodes-Livingstone Inst. 1945.

[2] Pumphrey: unpublished records.

8:Howell E-4,5 (1937, 1948) 1953 FJ23 Shilluk FJ23

This also applies to a girl who (on Pumphrey's definition) is already technically married, but still living in her father's home. The seduction of a girl in this condition (which I prefer to call betrothal) by an outsider is not considered a more serious offence than seduction of a girl who has not been bespoken. In such circumstances, too, the compensation is the recognized right of her father or legal guardian and not of her so-called husband. It is true that the latter will usually be expected to collect the compensation and to take action either directly or through the agency of the Courts, but he will ultimately hand over the ox to the girl's father. Seduction of a girl in these circumstances is not therefore adultery in the legal sense.

Seduction, whether of an unbetrothed or of a betrothed girl, if followed by pregnancy, is considered a more serious offence and demands a higher rate of compensation, which again is claimed as the right of the girl's father. This is known as *kwor yar nien ajur* and is nowadays fixed at three head of cattle.[1] Again, in the case of an unbetrothed girl, her own kinsmen will take action, but if the girl is betrothed, her future bridegroom will take up the matter on behalf of her family.

An act of adultery with a wife (in the full legal sense) demands an indemnity of two head of cattle (*kwor kweb cie dhano*) payable to her husband.

The impregnation of a married woman (in the full legal sense) is a much more serious offence and the recognized compensation is four head of cattle[2]—*kwor yac cie dhano* or *kwor yac cie ot*. The cattle are claimed by the woman's legal husband who will retain them unless there is a divorce, in which case they go to her kinsmen. In fact they would be deducted from the cattle which the wife's kinsmen should return to the husband on divorce and it is unlikely that he would hand them over, especially if they had been paid a long time before.[3]

If a divorce follows the offence the child will normally become *okejo* (unless legitimization fees are paid) and will be brought up by its mother's kinsmen. Otherwise, children born of adultery belong to the legal husband, even if the wife leaves him to live with her lover.

Adultery with the Wives of Kinsmen

As among other Nilotic tribes, the exaction of compensation usually depends on the relationship between the husband and the woman's lover. Pumphrey says,

> No *kwor* is payable where a man has relations with the wife of his brother or his father. In fact, little resentment is felt in such cases, especially if the offender is unmarried, the realistic view prevailing that it is better so than that he should incur cattle payments by exploits elsewhere.

This statement is substantially correct, though it must be realized that it does not imply that there is anything in the nature of the right of access to each other's wives by close kinsmen.[4] It is forbidden for two (uterine) brothers to cohabit with the

[1] Shilluk say that it was seven head in the time of ruth Kur (1903).

[2] Shilluk say that the number demanded in the past was eight.

[3] Unlike the Nuer and Dinka, there is no limit to the number of times a man may demand compensation for the adultery of his wife. Moreover, if several men are concerned, compensation is demanded in full from each. This does not apply if a child is born, as here only one man can be held responsible, and it is said that the woman will sometimes be prevailed upon to name the richest of her lovers.

[4] As suggested by Hofmayr.

9:Howell E-5 (1937-1950) 1952 FJ23 Shilluk FJ23

among the Shilluk that he was empowered to suppress internal feuds, that he actually did so with the assistance of an army of neutrals, and that, though the punishments inflicted on the guilty sections of the community were severe and included seizure of property and the enslavement of the guilty parties, little resistance was shown. At the same time, there are few examples cited in Shilluk tradition which date back to days earlier than the first alien administration. Such methods resemble the methods employed by those who were used as agents in Turkish times to maintain some kind of order. They are also reminiscent of Arab procedures, and it must be remembered that the Shilluk were influenced by Arab contacts.[1] They are in keeping also with the methods employed during the *Mahdia*.

On the other hand, it is quite clear that the *reth* has always had recognized functions as an arbitrator in blood-feuds. These functions are both purely secular, in the attempt to reconcile warring factions, and ritual, in the removal of prohibitions raised in feuds.[2] It is more than probable that in early days the *reth* would take no action unless he was certain that the two parties wished for peace. In Titherington's account we hear that, 'The *reth* walked among them and briefly addressed them and they answered that they wanted peace. . . . The taboo on the families at feud eating together, is removed by the *reth*.'[3]

Hofmayr says: 'When the number of the dead and wounded on both sides is equal, they stop fighting. The King will hold court and punish the offender who is in the wrong.' The idea that feuds cease when the participants are tired of fighting and of a perpetual state of insecurity is stressed again and again in reports. It is at this point that the *reth*'s intervention is accepted, and it seems to me doubtful whether he would normally intervene in any other circumstances.

Indemnity for Homicide

The present recognized indemnity for wilful homicide among the Shilluk is ten head of cattle. There have been frequent attempts by the Administration during the course of the last thirty years to raise this number, as a deterrent, but these attempts do not appear to have been either effective or generally accepted by the tribe. The traditional number demanded is also in doubt. Thomson, in an unpublished report, says: 'In the past blood-money for a killing was ten head of cattle to the deceased's family and ten to the *reth*. Later it became ten to the deceased's family, five to the *reth* and five to the Government. It is now (since 1932) ten head of cattle to the family of the deceased only.' I have sometimes heard it said that in *reth* Fadiet's time (1903–17) it was only seven head,[4] but it was raised to twenty, of which the *reth* took half, by orders of *reth* Fafiti when he first succeeded to the throne. It is also said that in the old days a girl was sometimes handed over instead of cattle, and although intermarriage between people at feud is considered wrong unless the full peace ceremonies have been completed, this girl was taken in marriage by one of the kinsmen of the dead man. If, by reason of some kinship relationship with the deceased, she fell within the prohibited degrees of marriage, she would be accepted as a

[1] *Cf.* The Baggara *Khamr* خمر, whereby neutral tribal segments would band together to punish wrongdoers, seizing their possessions, which were handed over to the deceased's family.

[2] Such as the prohibition on eating together and on intermarriage.

[3] Titherington, unpublished records.

[4] Sometimes quoted as being current in *reth* Kur's time (deposed 1903) too.

cause family disruption. It is therefore to be avoided if possible, and it is to this end that most of the marriage customs exist.

Freedom of choice is generally allowed to both sexes. Only when cattle are urgently required does a father sometimes marry off his daughter under age, probably to a Dinka who will usually be willing to pay ten head of cattle since his own dowry payment is much larger. The usual procedure is for the girl first to be asked by her admirer whether she will marry him. If she agrees, she will then tell her *gol* leader of the proposal. This may be the first intimation her family has, and there will be a hasty consideration of prospects. If the husband is acceptable he will be told to bring a sheep (the *dyel dhok*). At once he will don his finery, as also will the best man,[31] and the pair will proffer the sheep. If it is accepted the wedding dance will follow closely and the cattle will be brought thereafter by the best man as circumstances permit. If they are readily available about eight will be brought soon after the wedding dance and the remaining two will remain over until a final dance (*mogho thieh*) has been held in the bride's village. At this dance neither the bride nor the bridegroom dance. The bridgegroom sits in a house apart with the best man and the bride remains with her family. It is said that sometimes the bridegroom "calls out" the bride, in which case the best man dances with the bride and the bridegroom with the bridesmaid[32]. The bride's maid is a girl friend of the bride who acts as go-between in the frequent elopments which occur after the acceptance of the sheep and before the final dance. Such elopments are regarded lightly by the bride's *gol* who are usually pacified by the present of another sheep, but who nevertheless retrieve their daughter if they can.

The best man is the bridegroom's friend who often accompanies him on a journey to spy out the land for a desirable wife and who, as already mentioned, goes with him to proffer the sheep. Once the sheep is accepted the wife's *gol* appoint also their *jal tong* and it is through these intermediaries that all haggling over cattle is conducted.

31. *Jal tong*, meaning literally "man of the spear."

32. *Nya dhey tong*, meaning literally "young woman of the spear."

29:Dempsey M-5 (1940-1954) 1955
FJ23 Shilluk FJ23

born there is brought up in that village under the tutelage of the chief. If the child is a boy he is brought up in much the same manner as other boys of the village but it is not forgotten that he is a Nyireth, and consequently a potential king. He is given a herd of cattle, and on reaching manhood is expected to found his own village, also at a distance from Fashoda, for the fear of assassination is always present to the reth, and hence it is ever the royal policy to keep all the princes as far distant from Fashoda as possible.

• • •

Marriage is an important affair, not only for those directly concerned, but for the whole community, for among the Shilluk it has many economic implications arising chiefly from the condition of the dowry or bride-price, almost universal throughout Africa. When the Shilluk youth, decorated in his best, goes a-wooing, if the lady of his choice accepts the heart and fortune which he casts at her feet and coyly says yes, she is sure to say that he must 'see father first'. I presume that an English youth in similar happy circumstances would address his prospective father-in-law thus: 'Sir, I wish to marry your daughter. She has done me the honour of promising to be my wife,' and with a brief discussion of present security and future prospects, the matter would be quickly settled. Not so does the Shilluk bridegroom-to-be approach his future in-laws; he does not appear in person, but sends one or two friends to negotiate the marriage for him. Nor must the ambassador come empty-handed, but must bring the traditional gifts as befitting the occasion; spears, hoes, tobacco and firewood for the father and mother of the girl and, as the negotiations proceed, upwards of seven sheep which become the property of her brother or cousins, and finally, and most important of all, the cattle.

The bride-price of ten or more head of cattle is an essential condition for every Shilluk marriage. It may be paid in instalments and indeed generally is, and its payment usually extends over several years, but there can can be no question of the young couple living together as husband and wife